

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

November 28, 2017

Elisabeth A. Shumaker
Clerk of Court

CITY OF OTTAWA, KANSAS,

Petitioner,

v.

CHRIS MCHENRY, administrator of the
estate of Joseph Jennings, deceased,

Respondent.

No. 17-610
(D.C. No. 2:16-CV-02736-DDC-JPO)
(D. Kan.)

ORDER

Before **KELLY, LUCERO**, and **MORITZ**, Circuit Judges.

This matter comes on for consideration of *The City of Ottawa's Petition for Permission to Appeal*. The petition was filed pursuant to 28 U.S.C. § 1292(b) and Federal Rule of Appellate Procedure 5. The respondent did not file a response.

Upon consideration thereof, the petition is granted.

Within **14 days** of the date of this order, the City of Ottawa shall pay the \$505 filing fees to the Clerk of the District of Kansas. *See* Fed. R. App. P. 5(d)(1)(A). A notice of appeal is not required. Instead, the date of this order shall serve as the date of the notices of appeal. *Id.* at 5(d)(2).

The clerk of this court is directed to open a new appeal once the district court notifies this court that the filing fees have been paid. *Id.* at 5(d)(3).

Entered for the Court

ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Ellen Rich Reiter".

by: Ellen Rich Reiter

Jurisdictional Attorney